

SENATE BILL REPORT

SHB 2198

As of April 2, 2009

Title: An act relating to requiring the availability of child restraint systems by rental car businesses.

Brief Description: Requiring rental car businesses to have a sufficient number of child restraint systems available to their customers.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Hudgins, Hinkle, Van De Wege, Hasegawa, Takko, Jacks, Appleton, Williams, Chase, Eddy, Morris, Roberts and White).

Brief History: Passed House: 3/09/09, 75-20.

Committee Activity: Transportation: 4/01/09.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Wendy Malkin (786-7434)

Background: With some exceptions, Washington law requires that a child traveling in a motor vehicle be restrained in a child restraint system until the child is eight years old, unless the child is four feet nine inches or taller. The child restraint system must comply with Federal Motor Vehicle Safety Standards. In addition, the restraint system must be secured in the vehicle in accordance with the instructions of the vehicle manufacturer and the child restraint system manufacturer. A person who fails to place a child in a restraint system as required by law may receive a traffic infraction.

A rental car business must register with the Department of Licensing (DOL), and it must renew its registration annually. The DOL is empowered to conduct audits, investigations, and enforcement actions in relation to the statutory requirements for rental car businesses.

Summary of Bill (Proposed Amendment): Rental car businesses must have a sufficient number of child restraint systems available to meet expected customer demand. The requirement may be met through contractual agreements between rental car businesses regarding the shared use of child restraint systems.

A rental car customer who reserves a child restraint system may cancel a vehicle reservation without penalty and receive a full refund if the child restraint system is not provided within

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

one hour of the customer's arrival at the location where the customer expects to receive the vehicle.

The act is restricted to rental car businesses accessing an airport.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Proposed Amendment): The act is restricted to rental car businesses accessing an airport.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2010.

Staff Summary of Public Testimony: PRO: This bill comes from the experience of an individual who flew into SeaTac and had reserved a rental car and car seat, but the car company did not have the car seat that was reserved. This experience has happened to other young families.

CON: Enterprise rental car company is very concerned about safety, and it follows all of the laws applicable to it. This is a situation where a retail business is being asked to supply a particular product. There are not many instances in which a retail business is required to supply a particular product.

Enterprise has 200 child safety seats in boxes at Washington airports. The company has an adequate supply. In fact, we currently use about 33 percent of our supply. This legislation is unnecessary. If someone makes a reservation at an airport facility and requests a car seat, we supply one.

Rental car companies are struggling economically, especially because we are so tied to the car industry through large purchases of cars. The best business strategy for rental car companies is to make return customers. We do our best to maintain an adequate supply of car seats. We have not heard from customers that this is a particular problem. Given the economic climate, this is not the right time for this legislation.

Persons Testifying: PRO: Representative Hudgins, prime sponsor.

CON: Gordon Walgren, Ras Uzun, Enterprise Rent a Car; Jeff Gombosky, Vanguard Automotive Group.